

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL R. DEHAAS and  
RUTH A. DEHAAS, his wife,

Plaintiffs,

v.

EURO KAM, LTD, WTA GLOBAL,  
INC., and NURADYL  
SATYBALDIEV,

Defendants.

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: Docket No. 3:21-cv-212  
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: **JURY TRIAL DEMANDED**  
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**NOTICE OF REMOVAL**

Defendants, EURO KAM, LTD, WTA GLOBAL, INC., and NURADYL SATYBALDIEV, by and through their undersigned counsel, James M. Girman, Esquire, Brian L. Shepard, Esquire, and the law firm of Pion, Nerone, Girman, Winslow & Smith P.C., hereby submit the following Notice of Removal pursuant to 28 U.S.C. § 1441, *et seq.* and remove the above-captioned lawsuit from the Court of Common Pleas of Bedford County, Pennsylvania, Docket No. 850-2021, to the United States District Court for the Western District of Pennsylvania, and in support thereof aver as follows:

1. Plaintiffs initiated this lawsuit in the Court of Common Pleas of Bedford County, Pennsylvania (Docket No. 850-2021), by the filing of a Complaint on November 9, 2021. (Copies of the docket and all pleadings and process filed in the State Court action are attached hereto as Exhibit "A").

2. The Complaint names as Defendants EURO KAM, LTD, WTA GLOBAL, INC., and NURADYL SATYBALDIEV, and alleges that the Plaintiffs incurred personal injuries in a December 7, 2019, motor vehicle accident that was allegedly caused by the negligence of Defendant Satybaldiev in the operation of his motor vehicle.

3. Plaintiffs also allege direct negligence claims against Defendants Euro Kam, Ltd and WTA Global, Inc., as well as that each is vicariously liable for the conduct of Defendant Satybaldiev.

4. Pursuant to Paragraph No. 1 of Plaintiffs' Complaint, Plaintiff Michael R. DeHaas is a resident of the State of Pennsylvania.

5. Pursuant to Paragraph No. 2 of Plaintiffs' Complaint, Plaintiff Ruth A. DeHaas is a resident of the State of Pennsylvania.

6. Defendant Euro Kam Ltd., (hereinafter "Euro Kam") is a corporation with its principal place of business in Illinois. Complaint, ¶3.

7. Moreover, Euro Kam is incorporated pursuant to the laws of the State of Illinois.

8. Defendant WTA Global, Inc. (hereinafter "WTA Global") is a corporation with its principal place of business in Illinois. Complaint, ¶5.

9. Moreover, WTA Global is incorporated pursuant to the laws of the State of Illinois.

10. Defendant Nuradyl Satybaldiev is resident of the State of New York. Complaint, ¶7.

11. Accordingly, there is complete diversity of citizenship and the instant action therefore is between citizens of different states, thereby invoking the jurisdiction of this Court under 28 U.S.C. §1332(a)(1), so long as the amount in controversy requirement is met.

12. In the motor vehicle accident that is the subject of this dispute, Plaintiffs allege that they sustained serious bodily injuries and damages. Complaint, ¶¶ 37, 47.

13. Specifically, it is alleged that Plaintiff Michael DeHaas suffered *inter alia* "...fractures of the spine at C6 and C7 levels, fractured ribs, collapsed lung and a left neck hematoma with bleeding compromising his airway." Complaint, ¶ 37.

14. Plaintiff Michael DeHaas is also alleged to have required life flight transport, intubation, and a long hospital stay, and alleges he has incurred damages including future medical care needs, lost earnings capacity, as well as general and consortium damages. Complaint, ¶¶38-44.

15. Moreover, it is alleged that Plaintiff Ruth DeHaas suffered *inter alia* “...an open reduction with internal fixation surgery on her right clavicle as well as a subsequent bone grafting procedure with removal of hardware...” Complaint, ¶47.

16. Plaintiff Ruth Dehaas is also alleged to have incurred permanent impairment, future medical care needs, lost earnings capacity, as well as general and consortium damages. Complaint, ¶¶48-55.

17. The alleged nature of Plaintiffs’ injuries and claimed damages make it clear that they will seek an amount in excess of the jurisdictional requirement of \$75,000. *See Russo v. Wal-Mart Stores E., L.P.*, 3:17CV454, 2017 WL 1832341, \*2-3. (M.D. Pa. May 8, 2017) (holding that allegations of significant injuries and damages in a complaint will trigger notice by the defendant that an amount in excess of the jurisdictional amount is at issue for purposes of the removal period); *Sims v. PerkinElmer Instruments, LLC*, CIV.A. 04CV3773, 2005 WL 746884, \*2-3 (E.D. Pa. Mar. 31, 2005) (same).

18. As such, upon information and belief, Defendants contend the amount in controversy requirements of 28 U.S.C. §1332(a) is satisfied, thereby vesting jurisdiction in this Court and rendering removal proper, pursuant to 28 U.S.C. §1446.

19. The above-entitled action, initiated in the Court of Common Pleas of Bedford County, Pennsylvania, and arising from a motor vehicle incident that occurred in Bedford County,

Pennsylvania, is within the territorial jurisdiction of the United States District Court for the Western District of Pennsylvania, and the Johnstown division thereof. LCvR 3.

20. Pursuant to the provisions of 28 U.S.C. §1446 (b)(2)(A), all Defendants in this action are represented by undersigned counsel and herein join in the removal of this action.

21. Concurrent with the filing of this Notice of Removal, Defendants have filed a Notice of Filing of Notice of Removal with the Prothonotary of the Court of Common Pleas of Bedford County, Pennsylvania advising that they have removed this action to the United States District Court for the Western District of Pennsylvania, Johnstown Division.

22. In filing this Notice of Removal, Defendants do not waive any affirmative defenses they may have or may hereinafter assert in this action.

WHEREFORE, Defendants pray that this Honorable Court remove the above-captioned case from the Court of Common Pleas of Bedford County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania.

**JURY TRIAL DEMANDED.**

PION, NERONE, GIRMAN, WINSLOW  
& SMITH, P.C.

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INC., and NURADYL SATYBALDIEV

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing Notice of Removal was filed on December 8, 2021, with the Clerk using the CM/ECF system, which will send notification of such filing to the following, and also via Email:

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